IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.3127 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr.P.S.Dani, for the Petitioner
Mr.R. Patne, AGP for Respondents 1 and 2.
Mr. S. Aradhye i/b. R.V. Govilkar, for Respondent No.3.

CORAM :F.I.REBELLO & MRS.R.S.DALVI,JJ.
DATED : NOVEMBER 14,2005

P.C.

. Rule. Heard forthwith. The limited relief sought by the society is to carry out the repairs to Flat No.1 on the first floor of the building. The flat presently is under lock and key with the police i.e. Respondent No.2. Earlier this Court had permitted the Architect/Structural Engineer of the petitioner society to conduct the internal and external inspection of the said flat along with all R.C.C. Columns, Slabs, etc., as set out in the order. There is a subsequent order dated 14th October, 2005 permitting the society to carry out the repairs as early as possible. By the

present petition what the petitioner prays is that the seal of the Flat No.1 may be unlocked and they be permitted to carry out the repairs and after repairs are carried out the flat to be sealed once again.

2. We find no difficulty in acceding to the prayer made on behalf of the petitioners. The respondent No.2 to unseal the flat No.1. The petitioners will act as agents of the respondent NO.2 for the purpose of carrying out the repairs. As soon as the repairs are carried out the petitioner will inform the respondent No.2. The respondent No.2 thereafter to reseal the flat. As far as the flat is concerned, that would be subject to the order passed in the proceedings which are pending in this Court.

3. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO, J.)

(MRS. R.S. DALVI, J.)